IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 728 /2004

Petitioner

Uday Lal Patel
S/o Late Jait Ram Patel,
Aged About 48 years,
Assistant Sub Inspector P.,S.Sariya Dist : Raigarh Permanent R/o Village Haldi Jhariya, P.S.Kharsia, Dist : Raigarh-(C.G.).

P. R No. ..... Presented by Shri ..... dated .....

Versus

Respondents :

1. State of Chhattisgarh Through Secretary Department of Home (Police), D.K.S. Bhawan, Raigarh-(C.G.)
2. Addl.Director General of Police (Admn.) Police Head Quarters, Raigarh-(C.G.)
3. Inspector General of Police, Bilaspur Range, Bilaspur-(C.G.)
4. Inspector General of Police, Bastar Range, Baster-(C.G.)
5. Superintendent of Police, Raigarh-(C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(42)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.728/ सन् 2004

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	8-9-2004 Shri P. Diwakar, Counsel for the petitioner. Shri Sandeep Dubey, Panel Lawyer for State. Application for urgent hearing is allowed. Heard. The petitioner has filed this petition against the order of transfer. It is pointed out that the petitioner was transferred on 6-6-2003 from Janjgir to Raigarh vide order Annexure P-1. It is further submitted that thereafter again the petitioner was transferred on 2-7-2003 from Raigarh to Saria by order Annexure P-2 and thereafter on 17-2-2004, the petitioner was transferred from Saria to Bastar by order annexure P-3, against which the present petition has been filed. Counsel for the petitioner submitted that the within a few months, he has been transferred from Saria to Bastar. It is submitted that the petitioner has served to the best of his capacity and the transfer has been made by way of punishment. Earlier the petitioner has apprehended that punitive action may be taken against him and as such this Court passed an order dated 7-4-2004 that no punitive action shall be taken against the petitioner as the matter is under consideration before this Court. The transfer has been made within a short period and he has not been allowed to remain at a place for a period of ~~three~~ even one years or so. -2-	

[पीछे देखिये

XI-HC-22

(43)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	The return has been filed by the State contending that the transfer has been made on administrative ground. Rejoinder has also been filed. It is taken on record. Under the circumstances, in the opinion of this Court ends of justice will be served, if the direction is given to the petitioner that if he has not joined, he should join at the place of posting within 7 days and thereafter he may submit a detailed representation to the State, and on such representation being filed, the same shall be considered by the respondent no. 2/Addl. Director General of Police (Admn.) afresh on its own merits in accordance with law as early as possible preferably within 2 months from the date of representation. Counsel for the petitioner contends that the petitioner is a member of the force and transfer should not be made by way of punishment. This aspect should also be considered. With this observation, the petition is disposed of at this stage with liberty to avail the remedy under law, if any grievance still remains. Consequently, M.W.P. No. 648/2004 also stands disposed of. Certified copy as per rules.	Sd/- Fakhruddin Judge

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